

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

July 26, 2000  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Councilmember Tom Milton for Mayor Skip Rimsza, Phoenix, Chairman	Supervisor Andy Kunasek, Maricopa County
Mayor Ron Drake, Avondale	Mayor Keno Hawker, Mesa
Mayor Dusty Hull, Buckeye	Mayor Edward Lowry, Paradise Valley
* Mayor Edward Morgan, Carefree	Mayor John Keegan, Peoria
* Mayor Vincent Francia, Cave Creek	Councilmember David Dobbs for Mayor Wendy Feldman-Kerr, Queen Creek
Councilmember Phillip Westbrooks for Mayor Jay Tibshraeny, Chandler	* President Ivan Makil, Salt River Pima-Maricopa Indian Community
Mayor Steve Garza, El Mirage	Mayor Mary Manross, Scottsdale
* Mayor Sharon Morgan, Fountain Hills	Mayor Joan Shafer, Surprise
* Mayor Chuck Turner, Gila Bend	Mayor Neil Giuliano, Tempe
* Governor Donald Antone, Gila River Indian Community	* Mayor Adolfo Gamez, Tolleson
Mayor Cynthia Dunham, Gilbert	Mayor Larry Roberts, Wickenburg
Mayor Elaine Scruggs, Glendale	Mayor Eugene Russell, Youngtown
Mayor Bill Arnold, Goodyear	F. Rockne Arnett, ADOT
Councilmember Margarita Garcia, Guadalupe	Dallas Gant, ADOT
Mayor J. Woodfin Thomas, Litchfield Park	Ron Gawlitta for Bill Beyer, Citizens Transportation Oversight Committee

\*Those members neither present nor represented by proxy.

1. **Call to Order**

The meeting of the Regional Council was called to order by Acting Chairman John Keegan at 5:05 p.m.

2. **Pledge of Allegiance**

Acting Chairman Keegan introduced proxies, Councilmember Phillip Westbrooks for Mayor Jay Tibshraeny from Chandler, Councilmember Tom Milton for Mayor Skip Rimsza from Phoenix, Councilmember David Dobbs for Mayor Wendy Feldman-Kerr from Queen Creek, and Ron Gawlitta for Bill Beyer from Citizens Transportation Oversight Committee

Acting Chairman Keegan introduced Mayor Steve Garza from El Mirage and presented him with his Regional Council membership certificate.

Acting Chairman Keegan announced that information to be included in the environmental assessment for agenda item #17B, Approval of the Draft FY 2001-2005 MAG Transportation Improvement

Program, was at each place. He stated that supplemental information for agenda item #20, Development of New Regional Transportation Plan, was at each place.

Acting Chairman Keegan announced that the RPTA has generously agreed to provide transit tickets for individuals who use the bus to get to the Regional Council meeting. He stated that tickets are available following the meeting from Ken Driggs of the RPTA.

3. Approval of June 21, 2000 Meeting Minutes

Acting Chairman Keegan asked if there were any corrections to the minutes of the June 21, 2000 meeting. Hearing none, he asked for a motion to approve.

Mayor Shafer moved, Mayor Arnold seconded, and it was unanimously carried to approve the minutes of the June 21, 2000 meeting, as written.

4. Call to the Audience

Acting Chairman Keegan noted that we have a timer to assist the public with their presentations, which have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. He said that at the end of the three minute time period, the red light will come on. Members of the audience who wish to speak fill out a card and give it to the MAG staff who will bring it to the Chairman.

Acting Chairman Keegan stated that public comment is provided at the beginning of the meeting for non-agenda items. He indicated that for the action items on the agenda, public comment will be taken when the item is heard. Public comments are limited to three minutes.

Acting Chairman Keegan recognized public comment from DD Barker, who stated that she and another citizen, Joseph Ryan, participated in the Air Quality Conformity public hearing. She said that Mr. Ryan commented on the limited funding available, most of which will go to light rail. Ms. Barker commented on routes through downtown and through the airport. She commented on safety concerns with at-grade trolley tracks. Ms. Barker spoke about cost figures that ranked the cost effectiveness of transportation options in the reduction of air pollution. She said the figures showed that light rail was the most expensive for the least amount of pollution reduction. The telecommuting option was zero cost. Ms. Barker stated that the focus of the new Regional Council Chair is technology, such as COPLINK. Ms. Barker stated that use of technology needs further examination. Acting Chairman Keegan thanked Ms. Barker for her comments.

Acting Chairman Keegan recognized public comment from Blue Crowley, who expressed his concern with the level of public input, because comment is allowed on action items only. By the time the Council is going to take action, it is too late to change the decisions that have been made. He said this is not a participatory democracy if the public cannot speak. Acting Chairman Keegan thanked Mr. Crowley for his comments.

5. Executive Director's Report

James M. Bourey stated that the Regional Council agendas have been streamlined with simplified language. He indicated that the transmittal summaries would continue to be detailed.

Mr. Bourey stated that notice was received from the Attorney General's Office that an additional \$30,000 has been granted to fund MAG's Domestic Violence program. This funding will be used to develop coordinating councils and establish crisis response teams for local governments.

Mr. Bourey stated that efforts are continuing on the CANAMEX project. He stated that a stakeholders meeting was held recently and, additionally, three public meetings are planned on the West side.

Mr. Bourey stated that MAG received notification that the Clean Cities Forum is a finalist for the Environmental Excellence Award, sponsored by Valley Forward.

Mr. Bourey stated that the National Association of Local Government Environmental Professionals recognized the Brown Cloud Report.

Mr. Bourey stated that a letter was sent to ADEQ regarding the new eight-hour ozone nonattainment area boundary. He said the new standard is under review by the Supreme Court. However, EPA needs to proceed with the designation of nonattainment area boundaries. Mr. Bourey stated that MAG has recommended that the current nonattainment area boundary should be retained. He stated that the Governor's office has not yet commented.

Mr. Bourey introduced Kathryn Rogers, the new MAG Clean Cities Planner. Ms. Rogers has a Master's in public administration and holds two Bachelor's degrees. Mr. Bourey introduced Brande Mead, MAG's new receptionist. He said that Ms. Mead comes to Arizona from Alaska and Oregon, and formerly was employed by Farmer's Insurance in Flagstaff. Acting Chairman Keegan thanked Mr. Bourey for his report and asked if there were any questions.

6. Approval of Consent Agenda

Acting Chairman Keegan recognized public comment from DD Barker, who commented on the new Regional Transportation Plan. She said that to be multi-modal, the plan needs to be changed. Ms. Barker commented on additional time being given for discussion of issues by the Regional Council. Ms. Barker stated that light rail was the most expensive for the least amount of pollution reduction. She commented on rail routes and funding. Ms. Barker commented that it is difficult for trolleys to make short right hand turns. She indicated that placing the trolley tracks down the middle of Central Avenue could present ADA issues. Ms. Barker stated that a commitment to multi-modalism is needed. She stated that the Regional Council decides where the majority of money goes. Ms. Barker encouraged further examination of RARF funds. Acting Chairman Keegan thanked Ms. Barker for her comments.

Acting Chairman Keegan recognized public comment from Blue Crowley, who stated that the I-17 bike tunnel is not included in the Federal FY 2000 MAG Federal Funds Final Closeout. He stated that the express terminal on I-10, originally designed and built to mix rail and bus, has been taken out. Mr. Crowley stated that public input received from other agencies on Amendment to the Draft FY 2001-2005 MAG Transportation Improvement Program to Include Scope Changes on Loop 303 and SR 51/Loop 101 Interchange, should be included in the public input section of the summary transmittals. He questioned the meaning of the EIS process in receiving public input for Recommendations to Undertake an Environmental Impact Statement and Protect Right-of-Way for the South Mountain Parkway. Mr. Crowley stated that the design and construction of a continuous bike route on the Grand Canal need to be addressed. Acting Chairman Keegan thanked Mr. Crowley for his comments.

Acting Chairman Keegan stated that agenda items #7, #8, #9, #10, #11, #12, #13, #14, #15 and #16 were on the consent agenda. He asked if any member requested that a consent agenda item be heard. Hearing no requests, he asked for a motion to approve.

Mayor Shafer moved to approve consent agenda items #7, #8, #9, #10, #11, #12, #13, #14, #15 and #16. Mayor Drake seconded, and the motion unanimously carried.

7. Regional Household Activity Survey Consultant Selection

The Regional Council, by consent, approved that Nustats Research and Consulting be selected to conduct the Household Activity Survey for an amount not to exceed \$500,000.

8. Federal FY 2000 MAG Federal Funds Final Closeout

The Regional Council, by consent, approved the following three projects as priorities for any uncommitted, redistributed or additional Obligation Authority that may become available in FY 2000: (1) \$230,000 for the MAG Regional Transportation Plan; (2) up to \$354,500 of the federal share of the project cost for the City of Mesa Consolidated Canal project; and (3) any additional uncommitted OA should be targeted to accelerate RPTA transit vehicles from future years.

9. Amendment to the Draft FY 2001-2005 MAG Transportation Improvement Program to Include Scope Changes on Loop 303 and SR 51/Loop 101 Interchange

The Regional Council, by consent, approved an amendment to the draft FY 2001-2005 MAG Transportation Improvement Program to change the following projects: State Route 51, Bell Road to Union Hills Drive and State Route 51, Union Hills Drive to the Pima Freeway, to increase the number of through lanes from six to seven; and Estrella Interim Loop (Phase 1): Intersection Grand Ave to Reems Road and Estrella Interim Loop (Phase 2A): Reems Road to El Mirage Road to increase the number of lanes being added from one lane to two lanes in each direction.

10. MAG Transportation Management Systems Report: FY 2001 Update

The Regional Council, by consent, accepted the MAG Transportation Management Systems Report: FY 2001 Update.

11. Recommendations to Undertake an Environmental Impact Statement and Protect Right-of-Way for the South Mountain Parkway

The Regional Council, by consent, approved amending the draft FY 2001-2005 Transportation Improvement Program to include \$6 million in FY 2001 for an Environmental Impact Statement and Design Concept Report for the South Mountain Parkway; identify the South Mountain Parkway as eligible for system-wide right-of-way protection funds totaling \$5 million per year FY 2001-2003; and authorize \$18.954 million in FY 2002 for advance right-of-way acquisitions throughout the corridor, as needed.

12. Finding of Conformity for the Draft FY 2001-2005 MAG Transportation Improvement Program and the Draft Long Range Transportation Plan Summary and 2000 Update

The Regional Council, by consent, approved the Finding of Conformity for the draft FY 2001-2005 MAG Transportation Improvement Program and Draft MAG Long Range Transportation Plan Summary and 2000 Update.

13. Consultation on Conformity Assessment for an Administrative Adjustment to the Draft FY 2001-2005 MAG Transportation Improvement Program

Since Regional Council approval of the Draft FY 2001-2005 MAG Transportation Improvement Program for a conformity analysis, 100 minor project revisions and 13 exempt projects have been received (Errata Sheet Five). An administrative adjustment to the draft FY 2001-2005 MAG Transportation Improvement Program (TIP) is necessary to incorporate these projects.

14. Consultation for a Proposed Amendment to the Draft FY 2001-2005 MAG Transportation Improvement Program and Regional Emissions Analysis

An amendment to the draft FY 2001-2005 MAG Transportation Improvement Program (TIP) has been prepared to accommodate two projects requested by the Arizona Department of Transportation and changes to two projects from Maricopa County. MAG has performed a regional emissions analysis and the results indicate that these proposed changes do not affect the finding of conformity for the draft TIP, Long Range Transportation Plan, and draft 2000 Conformity Analysis.

15. Consultation on Conformity Assessment for a Proposed Amendment to the Draft FY 2001-2005 MAG Transportation Improvement Program to Include an Environmental Impact Statement for the South Mountain Corridor

An amendment to the draft FY 2001-2005 MAG Transportation Improvement Program (TIP) is necessary to add an Environmental Impact Statement and Design Concept Report project for the South Mountain Parkway in FY 2001 at a cost of \$6 million. The proposed project may be categorized as exempt and does not require a conformity determination.

16. Contract Amendment with Planning Technologies to Provide for Enhancements to the MAG Socioeconomic Projections Model

The Regional Council, by consent, approved amending the contract with Planning Technologies to increase the contract by \$100,000 for a revised contract amount from \$109,772 to \$209,772 to provide for enhancements to the MAG Socioeconomic Projections Model.

17A. Draft FY 2000 MAG Final Phase Input Opportunity Report

Kelly Taft summarized the four-phase public involvement process. Ms. Taft explained that the process includes focus groups, stakeholder involvement, and expanded outreach to Title VI populations and is used to develop guidelines for programming regional transportation funds. Ms. Taft stated that an open house, followed by the final phase public hearing, was held on June 26, 2000, to provide an opportunity for public input on the draft MAG Long Range Transportation Plan: 2000 Update, the draft MAG 2001-2005 Transportation Improvement Program, and the 2000 Conformity Analysis.

Ms. Taft summarized comments received from citizens at the public hearing. One citizen commented that light rail will not be a factor in reducing air pollution and congestion or increasing safety. The citizen also stated that light rail cannot be constructed on I-17 or I-10. Ms. Taft stated that another citizen commented on better utilization of public assets. She stated that comments were also received for improved street signage and increasing Scottsdale bus service. Ms. Taft stated that a citizen supplied documents for inclusion into the report. Ms. Taft summarized the Title VI and Environmental Justice outreach at both the planning and implementation stages. Acting Chairman Keegan thanked Ms. Taft for her presentation and asked if there were any questions.

Acting Chairman Keegan recognized public comment from Blue Crowley, who displayed a letter written by Mr. Bourey after Mr. Crowley attempted to access to the building for the public hearing on June 26th. Mr. Crowley stated that the open meeting law was violated by not accepting his mark as his signature to sign into the building. His mark is one of his signatures. Mr. Crowley reported that he spent time in jail because he would not give his name. He had requested that the public hearing minutes reflect that he attempted to attend the hearing. Mr. Crowley stated that he remained outside the building until the hearing was over. Mr. Crowley referred to stalking reports and questioned who was stalking when Mr. Bourey was driving behind him. Mr. Crowley stated he uses his mouth and his brain as his weapons. He stated that he stood up for what he believed. Mr. Crowley stated that he is defending democracy. Acting Chairman Keegan thanked Mr. Crowley for his comments. He offered the apologies of the Regional Council to Mr. Crowley. He stated that steps have been taken to rectify the situation to access the building encountered by Mr. Crowley.

Mayor Hull requested that time be given to Mr. Crowley to make the comments he would have made at the public hearing. Acting Chairman Keegan stated that he would exercise the discretion of the Chair and allow Mr. Crowley three minutes for comment.

Mr. Crowley stated that exhibits turned over to CTOC are not reflected in the minutes. The State's Trip Reduction plan is not being met. He stated that money was assigned in 1987 for the express terminal on I-10 and stated that it is presently a non-functional white elephant. Mr. Crowley stated that no government worker should have a parking space at work. Mr. Crowley expressed his support for heavy rail through cities and through the spine of Arizona. He stated that facilities are needed for bicyclists. Acting Chairman Keegan thanked Mr. Crowley for his comments.

Acting Chairman Keegan recognized public comment from DD Barker, who commented on RARF funding for transportation planning. She mentioned that transit receives only a small portion of the funds. Ms. Barker mentioned getting serious about networking. Ms. Barker encouraged everyone to commit to being a part of the multi-modal future. Acting Chairman Keegan thanked Ms. Barker for her comments.

Mayor Hull moved to accept the draft FY 2000 MAG Final Phase Input Opportunity Report. Mayor Giuliano seconded, and the motion unanimously carried.

17B. Approval of the Draft FY 2001-2005 MAG Transportation Improvement Program

Paul Ward stated that the draft FY 2001-2005 MAG Transportation Improvement Program, or TIP, contains most of the transportation projects that are scheduled in the region for the next five years. Mr. Ward explained the requirements for projects that must be included in the TIP. He summarized the process for selection of projects through many MAG committees. Mr. Ward noted that projects have been added to the TIP that was approved by the Regional Council for a Conformity Analysis in March

2000. These projects are included in errata sheet five. Mr. Ward displayed a slide showing the source of funds for the TIP that is comprised of almost 1,300 projects that total \$4.46 billion. He noted that local highway funds account for one-fourth of the total, followed by RARF, federal highway, federal transit, state and local transit, private highway, and state highway funds. Mr. Ward stated that the next slide showed funding allocation by mode, including freeways, streets, transit and other modes of transportation. He noted that transit allocations increased to 24.4 percent from 16 percent last year. Freeway allocation at 60 percent was lower than previous allocations. Acting Chairman Keegan thanked Mr. Ward for his presentation and asked if there were any questions.

Mayor Dunham stated that language significant to the Town of Gilbert was contained in the draft letter from ADOT to FHWA that was provided to members at their places. She asked for confirmation that a vote in favor of the TIP would be a vote to approve what is contained in the document. Mr. Bourey replied that was correct. Mayor Dunham stated that some of the concepts could create an impact and she would not be able to support these concepts, specifically item number seven.

Mayor Hawker stated that it was his impression that the Regional Council could not enter into agreements that bind future councils. Mr. Bourey stated that while this is not a formal agreement, the MAG General Counsel had said that the MAG Regional Council could enter into an agreement on a multi-year issue. Mr. Bourey stated that the agreement was in recognition of discussions with ADOT that Tempe is working with ADOT on the collector distributor system. He noted that Tempe does not want additional capacity. Mayor Giuliano referred to the last sentence in item number seven that states that even though Tempe agrees to work with ADOT and MAG on the collector distributor system on US 60, because the improvements will contribute to the performance of the existing general purpose capacity in this corridor, Tempe does not support the planning of general purpose capacity.

Mayor Hawker asked for clarification of the hiring and the limitation of a budget for a noise expert. Mr. Bourey replied that ADOT normally hires the experts; however, in this instance, the hiring of the expert by Tempe would recognize the partnership and helps to build a level of trust. Mr. Bourey indicated that there would be a specific budget. Mayor Hawker commented on establishing a policy that cities would be able to hire their own expert. Mr. Bourey replied that the hiring of an expert by a city was specific to this case and was not establishing a policy.

Mayor Hawker expressed concern with the aspect of no design activity until completion of the collector distributor system. He asked for clarification of the reason for design delay. Mayor Giuliano stated that the current 20-year long range plan does not call for additional general purpose lane capacity. Therefore, projects of that type are theoretical and unfunded. Mayor Hawker questioned why a time frame would be established for projects that are unfunded and not in the scope. Mayor Giuliano stated that inclusion of the date is important because in the past, decisions have been changed. He indicated that Tempe wants to reassure its citizens that no changes will take place until 2007.

Mayor Dunham commented on statistical information for projected population increases in the cities of Gilbert, Chandler, Mesa, and Queen Creek. She said that the current conditions on US 60 are not acceptable under the restrictions, and it will only worsen with the increased population. Mayor Dunham expressed her best interests for the region, but she sees an onslaught. She indicated that this agreement could be restrictive.

Councilmember Westbrook stated that all realize Tempe's position and expressed his concern with the last sentence in item number seven. He commented on striking the sentence. Councilmember

Westbrooks expressed concern with imposing the date on design. He stated he would prefer having designs ready when the system is complete in 2007. Otherwise, not having designs readily available could set back projects 3-4 years.

Mayor Giuliano commented that Tempe has learned that it is best to have agreements in writing. He indicated that the City wanted it in writing that they do not support increased capacity. Mayor Giuliano expressed his appreciation to MAG, ADOT and FHWA for their cooperation, because the City realizes this is a regional problem and Tempe is a part of the program. He commented on the hard work by all. Mayor Giuliano stated the reason for including the 2007 date is that is when the Santan and Red Mountain freeways will be complete and light rail will be in place. At that time, there could be a better understanding if additional capacity is needed. Mayor Giuliano stated that Tempe is trying to be a good partner and also protecting its residents.

Councilmember Garcia commented on the large amount of traffic that diverts through Guadalupe. She stated that the pollution and noise are terrible. Councilmember Garcia stated that even though new roads are being built, when an accident or other tie up occurs, Guadalupe is used as a cut through to avoid the incident. Mr. Bourey stated that I-10 and US 60 interchange is a bottleneck. Correcting this interchange problem would help ease the cut through problem and needs to be a high priority. Mr. Bourey stated that money for work on the interchange is included in the TIP.

Mayor Hawker asked if Tempe would agree not to pursue litigation on the retaining wall design and the lanes in Mesa. Mayor Giuliano replied that he could only comment on the present issue. However, Tempe will remain true to the agreement. He expressed his hope that there will be regional cooperation and no need for litigation.

Mayor Giuliano moved to approve the draft FY 2001-2005 MAG Transportation Improvement Program, including Errata Sheet Five, contingent upon a finding of conformity of the TIP with the applicable state and federal air quality implementation plans; and with the HOV lane construction project on US 60 being contingent upon the Environmental Assessment developed by ADOT and approved by the Federal Highway Administration as a condition for implementation of the project. Mayor Scruggs seconded. Before a vote was taken, Acting Chairman Keegan asked for discussion.

Mayor Hawker stated he did not support the motion, because it sets a precedent for using time frames, which could have far reaching consequences.

Mayor Thomas indicated that he was not in favor of specific time frames, but that Mayor Giuliano's explanation helped clarify the reasoning. He stated that by considering the specific requirements of other cities, multi-modalism could be a benefit.

Mayor Scruggs commented on setting precedents. She stated that written promises had been broken by ADOT in the past. She stated that the precedent tonight is ADOT trying to rebuild trust. Mayor Scruggs stated that this is a unique situation. She commended all for reaching out. Mayor Scruggs stated that Mr. Hollis from Federal Highway Administration has indicated that the dates are not unreasonable.

Hearing no further discussion, Acting Chairman Keegan asked for a vote on the motion. The motion passed by a vote of 18 yes, Mayor Dunham, Mayor Hawker, Councilmember Westbrooks, and Councilmember Dobbs voting no, and Roc Arnett not voting.



17C. Approval of the Draft MAG Long Range Transportation Plan 2000 Update

Stuart Boggs stated that the population of Maricopa County is expected to increase by 53 percent, regional travel by 63 percent, and air passenger travel by 46 percent over the next 20 years. He said that the Long Range Transportation, or LRTP, is multi-modal and addresses various transportation modes and management of these modes. Mr. Boggs summarized the highlights of the LRTP 2000 Update: to extend the time horizon to 2020, accelerate the completion of the regional freeway system from 2014 to 2007, inclusion of the 2000 Pedestrian Plan, update of the Long Range Transit Plan, inclusion of the Grand Avenue Major Investment Study, and update of the funding plan. Mr. Boggs noted that the Grand Avenue project includes eight grade separations and is expected to be complete by 2006. He stated that the LRTP includes 124 miles of new controlled access highways, 113 miles of widening for regional routes, nearly 50 percent increase in street lane miles, tripling of local bus service, quadrupling of express bus service, and a 39-mile light rail transit system. Mr. Boggs displayed a slide of the proposed light rail plan. Acting Chairman Keegan thanked Mr. Boggs for his presentation and asked if there were any questions.

Mayor Shafer asked for clarification of the Grand Avenue project. Mr. Boggs stated that the MIS was incorporated into the plan for the area between I-17 and Loop 101. He referred to the map in his presentation that showed recommendations for eight intersection improvements. Mayor Shafer requested that the Grand Avenue upgrades between the 101 and the 303 be included in the plan. Mr. Boggs stated that the project is not at the point where the upgrade is defined. A study for the portion between the 101 and the 303 is just beginning.

Mr. Gant moved to approve the draft MAG Long Range Transportation Plan 2000 Update contingent upon a finding of conformity of the LRTP with the applicable state and federal air quality implementation plans. Mayor Arnold seconded and the motion unanimously carried.

18. Requested Change to SR 51/Loop 101 Interchange

Eric Anderson stated that the general plans for the Union Hills to the Pima Freeway section project were completed recently and include a proposed connection with the Black Mountain Parkway, which would move traffic north of the SR51/Pima TI. The Black Mountain Parkway link was planned to be funded by the City of Phoenix; but the City informed ADOT that they would be unable to fund the link. Mr. Anderson stated that without the link, additional traffic volumes are projected to occur on the ramps that connect SR51 and the Pima Freeway. ADOT is recommending four changes to the design that would provide more ramp capacity and improve traffic flow. ADOT has requested that the scope for the Union Hills to the Pima Freeway section be increased to improve the operational characteristics of the project for a total of \$5.077 million. This would result in a total project budget of \$20.444 million. Mr. Anderson noted that widening now will mitigate the need for additional widening in the future. Acting Chairman Keegan thanked Mr. Anderson for his presentation and asked if there were any questions.

Acting Chairman Keegan recognized public comment from Blue Crowley, who stated that public comment received at CTOC meetings needs to be included in the public input section of the summary transmittals in the agenda packet.

Mayor Arnold moved to approve the request to increase the scope for the Union Hills to Pima Freeway Project on SR 51 so that the requested elements can be added to the project. Supervisor Kunasek seconded, and the motion unanimously carried.

19. Status Report on West Valley Multi-Modal Transportation Corridor Plan

Dawn Coomer stated that the West Valley Multi-Modal Transportation Corridor Plan is funded by Transportation Enhancement Funds to develop a non-motorized transportation plan. The 42-mile long West Valley Corridor connects Avondale to the community of New River, passing through Phoenix, Glendale, Peoria, and unincorporated areas of Maricopa County. Ms. Coomer explained the three phases of the planning process. She stated that integration of the Agua Fria Watercourse Master Plan, that addresses flood control prevention, is an important component of the West Valley Multi-modal project. Ms. Coomer explained the activities for the project, that included an Arbor Day event. She summarized the accomplishments expected to be completed in each of the three phases. Ms. Coomer stated that the completed draft of the Plan is expected in spring 2001. Acting Chairman Keegan thanked Ms. Coomer for her presentation and asked if there were any questions.

Mayor Shafer asked for clarification why the corridor route did not pass through Surprise. Ms. Coomer replied that Surprise is on the west side of the Agua Fria and is not in the study area for the MAG project. Ms. Coomer stated that Surprise is in the study area for the Flood Control District's Watercourse project. Mayor Shafer expressed interest in her community being included in the plan. Ms. Coomer replied that she would express this interest to the Flood Control District. Mayor Shafer commented that she would not support this item if action was being taken.

Mayor Scruggs clarified the reason that Surprise was not a part of the West Valley Multi-Modal Transportation Plan. Originally, a private citizen came up with the idea for the Corridor Plan and presented it to the media. She explained that the citizen did not focus on the westerly portion of the Agua Fria. Mayor Scruggs clarified that MAG did not begin the process and, therefore, did not select the participating cities. She mentioned that funding for the project is provided by the cities involved. Mayor Russell expressed concern for funding commitments.

Mayor Drake expressed his appreciation to MAG and Council members for their support on this project. He stated that this project will bring favorable attention to the West Valley.

Mayor Hawker expressed his appreciation to MAG staff for procuring the grant. He indicated that this is the type of program that is important to open space preservation.

Mayor Hull stated that he would not support this project if action was being taken. He attributed his opposition to the fact that \$450,000 is being spent for this project, when his Town does not have bus service.

20. Development of New Regional Transportation Plan

Eric Anderson stated that MAG is beginning the process to develop a new Regional Transportation Plan for the region. He stated that the new plan will provide direction for all transportation projects and programs. Mr. Anderson stated that because of the completion of the Regional Freeway System in 2007, the growth of the region and the rapid advances in technology, it is important to develop a new plan to guide future transportation investments. Mr. Anderson stated that the Governor's Vision 21 Task Force is in the process of compiling a statewide plan. In addition, ADOT has a consultant on board to develop the statewide transportation plan. The MAG plan will be an important component of the State Transportation Plan, therefore, it is important that the MAG Regional Transportation Plan be started as soon as possible. Mr. Anderson noted that ADOT cannot complete their plan without MAG's plan.

Mr. Anderson displayed a flow chart of the Regional Transportation Plan development process, and explained the steps in the process. Mr. Anderson stated that the flow chart was developed after a “think-tank” session with private sector transportation experts in March 2000. The flow chart was presented and discussed at many MAG committees and with MAG member agencies, the Arizona Department of Transportation and other groups. Mr. Anderson stated that a meeting took place on July 14, 2000 to provide an opportunity for further input on the generalized concept paper. Comments were incorporated into the concept paper, which was presented to the Regional Council Transportation Subcommittee and the Transportation Review Committee on July 25, 2000. A number of comments and suggestions were made to improve the Concept Paper. Mr. Anderson stated that an addendum was drafted to incorporate the comments of the Subcommittee.

Mr. Anderson stated that the Regional Council Transportation Subcommittee will be the key policy committee for the Plan, assisted by the Management Committee and the Transportation Review Committee. An Advisory Group will be formed to provide input into the study. Mr. Anderson stated that the Advisory Group would include the chairs of each modal committee, Human Services Coordinating Committee, the Transportation Review Committee, the Management Committee and the Transportation Subcommittee. The Transportation Subcommittee recommended the addition of a representative of the Indian community. In addition to an Indian community representative, it is also recommended that a representative from the RPTA and ADOT be included in the Advisory Group.

Mr. Anderson stated that concern was expressed that the development of the MAG Regional Transportation Plan does not delay the completion of the Statewide Transportation Plan being developed by ADOT. The development of the MAG Plan will parallel the development of the statewide plan. With the MAG region representing about 60 percent of the population of the state, the MAG Regional Transportation Plan will be an important component to the statewide plan.

Mr. Anderson stated that Subcommittee members noted that public involvement is most effective if it is focused at the community level. The public involvement program will use local representatives to help organize and conduct local meetings. Furthermore, the results of previous and ongoing public involvement programs by MAG and MAG member agencies will be reviewed and incorporated.

Mr. Anderson stated that the development of the Regional Transportation Plan is expected to take about 24 months to complete. Subcommittee members commented that information may be needed to quantify the need for additional transportation funding, including the possible extension of the one-half cent sales tax beyond 2005, before the expected completion of the Plan.

Mr. Anderson stated that the attached timeline shows how results from the ongoing Regional Transportation Plan development process can be incorporated into the annual updates of the 20-year Long Range Transportation Plan until the final Plan is finished. Approval of the Long Range Transportation Plan update for the purposes of conformity analysis usually occurs in March of each year. The next update of the Long Range Transportation Plan, for action in March 2001, will be completed before substantial work on the Regional Transportation Plan is completed. The update for the following year, with approval for conformity analysis in March of 2002, will include work on the Regional Transportation Plan that can be incorporated at that time.

If transportation funding is included on the November 2002 ballot, the 2002 Update of the Long Range Transportation Plan would serve as an important source of information about possible transportation investments that could be made with new funding. With this mind, activities related the Regional Transportation Plan would be scheduled in such a way to ensure that major work tasks are completed

in time to be included in the 2002 Update. After the election results are known, the Regional Transportation Plan would then be completed and moved forward for approval for conformity analysis in March 2003.

Mr. Anderson summarized the next steps after the anticipated approval by the Regional Council: to issue a request for proposals, select a consultant, and refine a scope of work. Mr. Anderson noted that the Transportation Review Committee, the Regional Council Transportation Subcommittee, the Management Committee, and the Regional Council would be continuously involved in this process.

Acting Chairman Keegan requested that the flow chart identify that the goal of the Regional Transportation Plan is implementation. Mr. Anderson replied that chart could be revised. He indicated that Regional Council action is shown for approval of the final plan. Acting Chairman Keegan asked if there were any questions.

Mr. Gawlitta stated that standardization of left turn traffic signals is an important issue. He indicated that the metropolitan Phoenix area is one of the most dangerous areas in the country for red light running. A part of the problem is the left turn issue. Mr. Gawlitta stated that standardization will take out some of the guesswork on the part of drivers. He indicated that Tom Buick from the Maricopa County Department of Transportation, had obtained useful information, in addition to data compiled by Scottsdale and police departments. He stated that lower accident rates and a decrease in pollution could be achieved from using the lagging left arrow.

Mayor Arnold expressed his support for the lagging left arrow. He stated a lower accident rate has been realized in the 18 months since their implementation in Goodyear.

Mayor Manross stated that the lagging left arrow has been successful in Scottsdale, and has cut down on accidents and deaths. She stated that more turning movements are allowed. Mayor Manross noted that all traffic stops before the lag sets in.

Mayor Giuliano moved to approve issuing a Request for Proposals for consultant support for development of the Regional Transportation Plan and to increase the project from \$280,000 to \$510,000 in Federal FHWA STP closeout funds (including amending the FY 2001 MAG Unified Planning Work Program and Annual Budget for these increased funds). Mayor Scruggs seconded.

Before a vote was taken, Acting Chairman Keegan recognized public comment from Blue Crowley, who stated that the flow chart indicates public input throughout the process. However, comment is allowed at some meetings on action items only. Mr. Crowley stated that bus service should be provided to all cities. He indicated that the County is slowly expanding service in the West Valley. Mr. Crowley commented on utilizing heavy rail and planning now to become multi-modal. Acting Chairman Keegan thanked Mr. Crowley for his comments.

Hearing no further discussion, Acting Chairman Keegan asked for a vote on the motion to approve issuing a Request for Proposals for consultant support for development of the Regional Transportation Plan and to increase the project from \$280,000 to \$510,000 in Federal FHWA STP closeout funds (including amending the FY 2001 MAG Unified Planning Work Program and Annual Budget for these increased funds). The motion was unanimously carried.

21. Draft Model Dust Control Ordinance Alternatives

Lindy Bauer stated that in December 1999, the MAG Regional Council directed that a Model Dust Control Ordinance be developed that would allow member agencies to enforce dust control rules and cite violators. She stated that workshops were conducted on February 18 and June 9, 2000. Alternative One was developed from these workshops, and states that "A copy of the Maricopa County Earthmoving Permit and Dust Control Plan shall be submitted as a prerequisite to obtain a grading and drainage permit for any work performed within the jurisdiction."

Ms. Bauer stated that Alternative Two was developed that more closely follows the direction from the MAG Regional Council, and states that "A copy of the Maricopa County Earthmoving Permit and Dust Control Plan shall be submitted and incorporated into the grading and drainage permit for any work performed within the jurisdiction." Ms. Bauer noted that this alternative works well for the City of Peoria, and has been in use for approximately 2½ years. She stated that these two model dust control ordinance alternatives are now being distributed for review and comment purposes. Acting Chairman Keegan thanked Ms. Bauer for her presentation and asked if there were any questions.

Acting Chairman Keegan recognized public comment from Blue Crowley, who stated that the alternatives need more teeth. He commented on the continued use of weed blowers. Mr. Crowley stated that the City of Phoenix was supposed to pave dirt alleys beginning in March. However, paving on the alley at 23rd Avenue and Turney has not yet begun. Mr. Crowley commented on determining the amount of organic material in the Brown Cloud. He stated that factors other than agriculture contribute to Brown Cloud. Acting Chairman Keegan thanked Mr. Crowley for his comments. Hearing no further discussion, Acting Chairman Keegan asked for a motion.

Mayor Hawker moved to approve soliciting additional comment on the model dust control alternatives. Mayor Thomas seconded, and the motion unanimously carried.

Councilmember Garcia requested time to address the Council. She expressed concern that Mr. Crowley needs to show respect to the Regional Council and to the Executive Director. Councilmember Garcia stated that Mr. Crowley has become more aggressive. She expressed her annoyance with Mr. Crowley walking around and approaching people during meetings. Acting Chairman Keegan indicated that Councilmember Garcia could speak with Mr. Bourey following the meeting.

Acting Chairman Keegan announced that a dinner for the members of the Regional Council and their staff who have confirmed their dinner reservations will be held in the MAG offices on the third floor.

There being no further business, the meeting was adjourned at 7:10 p.m.

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Chairman

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Secretary

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
**ARIZONA DIVISION**  
234 N. Central Ave. Suite 330  
Phoenix, AZ 85004  
July 26, 2000

IN REPLY REFER TO

HA-AZ

NH-060-C(001)  
I-10 to Val Vista Road  
HA-AZ

**DRAFT**

Ms. Mary Peters, Director  
Arizona Dept. of Transportation  
Phoenix, Arizona 85007

Dear Ms. Peters:

In our February 29, 2000 letter primarily dealing with the placement of the retaining walls, we included a brief discussion that generally laid out the process that would be needed to construct any future transportation facilities in the US-60/Superstition Freeway corridor, if federal funds were to be used. To address subsequent questions raised about the federal process, this letter further defines the process(es) from a Federal perspective.

There are three basic components involved in getting a transportation facility underway and in place. They are (1) the **Planning Process**, (2) the **Environmental Process** and (3) the **Project Development Process**. These three processes are further discussed below within the context of Federal Regulations and general time frames.

#### **Planning Process (23 CFR 450)**

As a requirement of the planning process, projected transportation needs (long and short range) are identified in the Long Range Plan (LRP) which defines future (at least 20-year horizon) projects and identifies expected funding (financial plan) for these projects. This effort sets the priorities for projects and funding expenditures.

The planning process also requires the development of a Transportation Improvement Program (TIP), which identifies projects to be constructed or implemented during the next three to five years. The TIP must be financially constrained, which means that all projects need to have an available funding revenue source identified. Projects within the first three years of the TIP must conform to air quality plans, where applicable, and can be approved for construction without any further planning actions. Projects that are in the last two years (fourth and fifth years) of the TIP require additional conformity determination before these projects can be approved or implemented using federal funds.

In air quality non-attainment areas, such as the Phoenix metropolitan area, additional transportation planning requirements apply. These include:

Long Range Transportation Plans (LRP) – Federal Regulation [23 CFR 450.322 (a)] requires that the long-range plan be based on a 20-year traffic forecast and requires sufficient design concept and scope detail (such as planned number of lanes) to permit air quality analyses in accordance with U.S.

Environmental Protection Agency (EPA) conformity requirements (40 CFR Part 51).

Air Quality Conformity Determination – Federal Regulation [23 CFR 450.322(d) & .330(b)] requires that the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must jointly find that the LRP and the TIP conform with the adopted State Implementation Plan (SIP). The air quality conformity finding (approval) for the TIP must be completed before the TIP can be included in a Statewide TIP (STIP) and before projects can be found eligible for FHWA and FTA project funding approvals.

Congestion Management Systems (CMS) – Federal Regulations [23 CFR 500.109(c)] require that in Transportation Management Areas (TMAs) designated as non-attainment for carbon monoxide or ozone, new single occupant vehicles lane capacity should not be constructed unless an analysis demonstrates that all reasonable travel demand reduction and operational management strategies cannot fully satisfy the need for additional capacity. The CMS is a systematic process for managing congestion and is required to be developed as part of the planning process.

Projects Which Increase Single Occupancy Vehicle Capacity – Federal Regulations [23 CFR 450.320(b)] stipulate that in TMAs designated as non-attainment for ozone or carbon monoxide, Federal funds may not be programmed for any project that will result in a significant increase in carrying capacity for single occupant vehicles (a new general purpose highway on new location or adding general purpose lanes, with the exception of safety improvements or the elimination of bottlenecks) unless the project results from a congestion management system meeting the requirements of 23 CFR Part 500.

While the time required can vary widely, it would not be unrealistic to take 1-2 years to complete the above planning steps necessary to modify (e.g., add new major project improvements to) the LRP and TIP in a non-attainment area -- given the need to re-establish project and funding priorities, and address air quality considerations.

*We should emphasize, at this point, there are no projects in the current LRP or TIP (including the TIP now under consideration for approval by the MPO) that would add additional lanes to US-60 in the Tempe area (beyond the current project that would add one pair of HOV lanes).*

#### **Environmental Process (23 CFR 771)**

The next phase of project development is the environmental process. This process considers all relevant environmental laws and leads to decisions that are made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation. It evaluates the social, economic, and environmental impacts of the proposed transportation improvement. It also includes measures necessary, as appropriate, to mitigate adverse impacts. It is the responsibility of the project applicant, in cooperation with the FHWA, to implement those mitigation measures stated as commitments in the environmental document. A significant, required component of the environmental review process is the public involvement process, intended to afford an adequate opportunity for public officials and citizens to participate.

Relative to *environmental mitigation*, FHWA considers all mitigation measures identified in approved final environmental documents to be firm commitments or obligations made to the communities and citizens affected by the impacts. Environmental mitigation assurances are incorporated into a project, by condition, at the time FHWA authorizes project funding and executes the project agreement with the State Highway Agency. Therefore, in accordance with Federal Regulations (23 CFR 630.307 and 771.109(b)) and as a matter of policy and practice, FHWA has in the past and will continue to assure that such mitigation measures are fully honored or upheld.



Regarding recent concerns raised about the US-60 improvement, it is very important to note that the environmental approval for improvements on US-60 from I-10 to Power Road (which includes the currently proposed construction project on US-60 from I-10 to Val Vista Road), **will not** include the addition of "general purpose lanes" through Tempe. Any future project that would add lanes in this area will require a separate environmental review and approval, if funded with Federal-aid funds or otherwise requiring a Federal (FHWA) action. If such a project were proposed in the future, the environmental review process would likely be done with either an Environmental Assessment that usually takes 1 to 1 ½ years to complete or an Environmental Impact Statement that usually takes approximately 3-years to complete.

It should be further noted that a final environmental decision or approval cannot be given by the FHWA unless the project is listed in a currently approved TIP and STIP.

### **Project Development Process**

The final component is the project development process which generally takes a couple of years, and includes a Project Assessment (to identify a project), a Design Concept Report (to identify the major design features), and the Final Design (to produce construction contract plans).

To provide some perspective on timing of any planned future improvements in this corridor, we believe it is appropriate to point out a couple of practical limitations: (1) The current proposed reconstruction of US-60 is scheduled to start in early 2001 and estimated to take approximately 3 years to complete. No other work should be allowed in this area during this time period. (2) A project to expand the capacity of I-10 by constructing collector-distributor (C-D) roads is not programmed to start until 2007 and would take a few years to complete. Until Phase 1 of the I-10 work (C-D roads) is complete, it would not be prudent, due to inadequate I-10 capacity, to add more general purpose lane capacity on US-60 that would connect to this segment of I-10.

In addition, as a further measure of assurance, ADOT has included as a mitigation measure in the Environmental Assessment a commitment to not begin any project scoping, design activities, or construction for additional capacity on US-60 before 2007.

In summary, the above information describes in more detail the traditional processes and procedures which must be followed to initiate and complete any new federally funded project, and highlights several critical planning actions/steps that must be addressed in air quality non-attainment areas. We have also noted typical time frames and other constraints associated with project implementation. Finally, it bears reiterating that environmental mitigation is considered an important project commitment and FHWA will assure, to the fullest extent, that agreed upon measures are adhered to.

Sincerely,

Robert E. Hollis

cc: Jim Bourey (MAG)  
John Carlson, Governor's Office  
City of Tempe (Mayor & City Council)  
B. Hollis  
K. Davis            D. Mittelstedt  
B. Vachon         S. Thomas





Jane Dee Hull  
Governor

Mary E. Peters  
Director

# Arizona Department of Transportation

Office of the Director

206 S. 17<sup>th</sup> Ave. Phoenix, Arizona 85007-3213  
Phone 602.712.7226 FAX 602.712.6941

Victor M. Mendez  
Deputy Director

July 26, 2000

**"Draft"**

Mr. Robert E. Hollis  
Federal Highway Administration  
234 N. Central Avenue, Suite 330  
Phoenix, Arizona 85004

RE: US60 between I-10 and the Price Freeway

Dear Bob:

Over the past several months, the Arizona Department of Transportation (ADOT), the Federal Highway Administration (FHWA), the Maricopa Association of Governments (MAG), and the City of Tempe have been working together to explicitly identify and define the mitigation measures that will be implemented under the proposed project. ADOT recognizes that the Environmental Assessment is a legally binding document. Therefore, by copy of this letter, ADOT is incorporating the attached mitigation plan into the Environmental Assessment. As noted in FHWA's letter, also attached, "it bears reiterating that environmental mitigation is considered an important project commitment and FHWA will assure, to the fullest extent, that agreed upon measures are adhered to."

A few highlights from the mitigation plan are: 1) the hiring of a national noise expert, 2) the use of an asphalt rubber surfacing, and 3) any potential additional capacity on US60 is contingent upon completion of the I-10 collector distributor system in later years.

Please incorporate this letter into the Environmental Assessment.

Thank you,

Mary E. Peters  
Director  
Arizona Department of Transportation

Attachments:

- Improvements to US60 Between I-10 and the Price Freeway
- Letter from FHWA Dated 07/xx/00

cc: N. Guiliano (City of Tempe/Tempe City Council)  
G. Kephart (City of Tempe)  
J. Bourey (MAG)

**IMPROVEMENTS TO US 60  
BETWEEN I-10 AND THE PRICE FREEWAY**

1. **Federal Highway Administration.** The Federal Highway Administration will provide a letter to ADOT stating that any decision to construct additional transportation facilities (including additional general purpose lanes, additional High Occupancy Vehicle (HOV) lanes, new bus lanes, or rail transit) in the future would require additional planning and environmental studies, additional planning approvals by the MPO, and additional environmental approvals by the FHWA (if federal funding is used).
2. **No General Purpose Lanes.** The project in the proposed Transportation Improvement Program will not build any general purpose lanes within this segment of the US60 corridor. No re-stripping to add additional lanes or to connect adjacent auxiliary lanes.
3. **Lane Width Concerns.** The project will construct full width lanes and shoulders throughout the corridor in conformance with AASHTO guidelines. Except as shown on Attachment A.
4. **ADOT Mitigation of Impacts in Corridor.** The Arizona Department of Transportation has developed a detailed mitigation plan for the corridor that is Attachment B. This mitigation plan addresses noise, visual/aesthetic, design and construction, and air quality issues. In addition, ADOT has included rubberized asphalt surfacing on this project as a pavement preservation strategy.
5. **Noise Expert.** Tempe will hire a national noise mitigation expert to provide an objective analysis of noise mitigation in the corridor. ADOT will provide the funding.
6. **Additional Expansion of Capacity in the Corridor Will Require MAG Approval of the Transportation Improvement Program and Long Range Transportation Plan.** Any new project that would provide additional capacity to the corridor will require that the project be approved by the MAG Regional Council. The project would be required to be in the MAG Transportation Improvement Program, the MAG Long-Range Transportation Plan and pass the federally required air quality conformity analysis.
7. **Possible Opening of Additional Capacity of the US 60 Corridor in Tempe, Beyond the Currently Planned HOV Lanes Would Be Contingent Upon the Completion of Phase One of the Collector Distributor System on I-10.** Any project scoping, design activity or construction for additional capacity on US 60 would not begin until 2007. To effectively use possible additional capacity in the US 60 corridor in Tempe will require the construction of Phase One of the collector distributor system on I-10, which provides a frontage road system to relieve the merging of traffic. Phase One of the collector distributor system from Baseline Road to 40th Street is programmed for the year 2005 in the amount of \$40 million. To complete Phase One of this project will require approximately another \$40 million. Based on current funding, Phase One of this project would not be completed until approximately 2007 or later. Although Tempe agrees to work with ADOT and MAG in developing the collector distributor system on US 60 because such improvements will improve the performance of existing general purpose capacity in this corridor, Tempe does not support the planning of additional general purpose capacity in the US 60 corridor.
8. **Strategies to Increase Transit Ridership.** The Governor's Office, ADOT and the Regional Public Transportation Authority (RPTA) are evaluating specific strategies to increase transit ridership in the Valley utilizing planned and existing HOV lanes.